

IT IS SO ORDERED.

Dated: 24 September, 2010 04:09 PM


RANDOLPH BAXTER
UNITED STATES BANKRUPTCY JUDGE

BK1002980
AJT

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
AT CLEVELAND

IN RE:

Marissa A. Kilgore

Debtor

Case No. 09-17378

Chapter 13
Judge Baxter

**ORDER GRANTING FINAL
MODIFICATION OF
AUTOMATIC STAY AND CO-
DEBTOR STAY (PROPERTY
ADDRESS: 541 CORNELL
AVENUE, ELYRIA, OH 44035)**

This matter is before the Court upon the Agreed Order on Motion for Relief From Stay and Co-Debtor Stay of U.S. Bank National Association successor by merger to The Leader Mortgage Company, LLC successor by merger to The Leader Mortgage Company by and through U.S. Bank Home Mortgage its servicer; and upon the Affidavit of Default by Olivia Todd dated September 8, 2010; and it appearing

to the Court that the Creditor holds the promissory note and first mortgage describing certain real estate owned by the debtor and located at 541 Cornell Avenue, Elyria, OH 44035, which mortgage loan obligation is in default; and it further appearing that said debtor has failed to comply with the terms of the Agreed Order on Motion for Relief From Stay and Co-Debtor Stay filed herein on June 29, 2010, and that said Creditor has filed an appropriate Affidavit of Default herein pursuant to the terms of said Agreed Order; accordingly.

IT IS ORDERED THAT the automatic stay invoked herein by Section 362 of the Bankruptcy Code and the co-debtor stay imposed by Section 1301 of the Bankruptcy Code, shall be, and hereby are, terminated in all respects as against the Creditor, its successors and assigns.

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall discontinue all payments to Movant on its claim under the Chapter 13 Plan filed by the Debtor(s). Movant is directed to file a report of sale promptly following liquidation of the property located at 541 Cornell Avenue, Elyria, OH 44035 (the "Collateral") if any excess proceeds are received. Should Movant seek to file any unsecured deficiency claim, Movant shall do so no later than 90 days after this Order is entered. If the collateral has not been liquidated, the deficiency claim is to be estimated.

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SUBMITTED BY:

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